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REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS

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Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office 1/ as well as the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-third session 2/ and taking note of the statement of the High Commissioner on 10 November 1992, 3/

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 12 (A/47/12).

2/ Ibid., addendum (A/47/12/Add.1).

3/ A/C.3/47/SR.34.

Recalling its resolution 46/106 of 16 December 1991,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the fundamental importance of the High Commissioner's international protection function and the need for States to cooperate with the High Commissioner in the exercise of this primary and essential responsibility,

Noting with satisfaction that one hundred and fourteen States are now parties to the 1951 Convention relating to the Status of Refugees 4/ and/or the 1967 Protocol relating to the Status of Refugees, 5/

Welcoming the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks,

Noting with concern that the number of refugees and displaced persons of concern to the High Commissioner as well as of other persons to whom her Office is asked to extend assistance and protection to has continued to increase and that their protection continues to be seriously jeopardized in many situations as a result of non-admission, expulsion, refoulement and unjustified detention, as well as other threats to their physical security, dignity and well-being, and lack of respect for fundamental freedoms and human rights,

Commending the continued efforts of the High Commissioner to improve the situation of refugee women and children who represent the majority of refugee populations and who, in many cases, are exposed to a variety of difficult situations affecting their physical and legal protection, as well as their psychological and material well-being,

Emphasizing the need for States to assist the efforts of the High Commissioner to search for durable and timely solutions to the problems of refugees based on new approaches that meet the current size and characteristics of these problems and are built on the respect of fundamental freedoms and human rights and internationally agreed protection principles and concerns,

Welcoming the commitment of the High Commissioner, bearing in mind her mandate and responsibilities, to explore and undertake activities aimed at preventing conditions giving rise to refugee outflows, as well as to strengthen emergency preparedness and response mechanisms and the concerted pursuit of voluntary repatriation,

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4/ United Nations Treaty Series, vol. 189, No. 2545.

5/ United Nations Treaty Series, vol. 606, No. 8791.

Commending those States, particularly the least developed among them, that, despite severe economic and development challenges of their own, continue to admit large numbers of refugees and displaced persons of concern to the High Commissioner into their territories, and emphasizing the need to share the burden of these States to the maximum extent possible through international assistance, including development-oriented assistance, and through promotion of durable solutions,

Commending the High Commissioner and her staff for the dedicated manner in which they discharge their responsibilities, and paying special tribute to those staff members who have lost their lives in the course of their duties,

1. Strongly reaffirms the fundamental nature of the function of the United Nations High Commissioner for Refugees to provide international protection and the need for States to cooperate fully with her Office in fulfilling this function, in particular by acceding to and fully and effectively implementing the relevant international and regional refugee instruments;

2. Recognizes the increasing magnitude and complexity of present refugee problems, the risk of further refugee outflows in certain countries or regions and the challenges confronting refugee protection;

3. Emphasizes the need to keep issues related to refugees, displaced persons and asylum-seekers and other migratory flows firmly on the international political agenda, especially the question of solution-oriented approaches to deal with such contemporary problems and their causes;

4. Calls upon all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or expelling refugees contrary to the fundamental prohibitions against these practices, and urges States to ensure fair and efficient determination procedures for asylum-seekers and to continue to give humane treatment and to grant asylum to refugees;

5. Expresses deep concern regarding persistent problems in some countries or regions seriously jeopardizing the security or well-being of refugees, including incidents of refoulement, expulsion, physical attacks and detention under unacceptable conditions, and calls upon States to take all measures necessary to ensure respect for the principles of refugee protection as well as humane treatment of asylum-seekers in accordance with internationally recognized human rights norms;

6. Acknowledges with appreciation progress made in the implementation of the Guidelines on the Protection of Refugee Women 6/ and calls on States, the High Commissioner and other parties concerned to cooperate in eliminating

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6/ See document EC/SCP/67, annex, of the Executive Committee of the Programme of the Office of the United Nations High Commissioner for Refugees.

all forms of discrimination, sexual exploitation and violence against female refugees and asylum-seekers and in promoting their active involvement in decisions affecting their lives and communities;

7. Welcomes the appointment of a Senior Coordinator for Refugee Children, and reiterates the importance of promoting measures to ensure the protection and well-being of refugee children, in particular unaccompanied minors, in coordination with States and other international, intergovernmental and non-governmental organizations;

8. Welcomes also the High Commissioner's proposal to appoint an Environmental Coordinator responsible for developing guidelines and taking other measures for incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed countries in view of the impact on the environment of large numbers of refugees and displaced persons of concern to the High Commissioner;

9. Reaffirms the importance of attaining durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in third countries, as appropriate, and urges all States and relevant organizations to support the High Commissioner in her efforts to search for durable solutions to the problem of refugees and displaced persons of concern to her Office, primarily through the preferred solution of voluntary repatriation;

10. Underlines strongly State responsibility, particularly as it relates to the countries of origin, including addressing root causes, facilitating voluntary repatriation of refugees and the return, in accordance with international practice, of their nationals who are not refugees;

11. Notes the significant organized voluntary repatriation movements that have taken place in 1992, and calls on all States and relevant organizations to support the High Commissioner in continuing and further reinforcing her efforts to promote conditions conducive to voluntary return in safety and dignity;

12. Urges the High Commissioner to continue her efforts to involve international, national and intergovernmental development agencies, as well as non-governmental agencies, in the planning phases for voluntary repatriation so as to ensure that basic reintegration assistance is complemented by broader development initiatives focused on the areas of return;

13. Supports the strengthened efforts by the High Commissioner to explore protection and assistance strategies which aim at preventing conditions giving rise to refugee outflows and at addressing their root causes, and urges her to pursue such efforts bearing in mind fundamental protection principles and her mandate and in close coordination with Governments concerned and within an inter-agency, intergovernmental and non-governmental framework as appropriate;

14. Welcomes, in this context, efforts by the High Commissioner, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the concerned State, to undertake activities in favour of internally displaced persons, taking into account the complementarities of mandates and expertise of other relevant organizations;

15. Recognizes the importance of the promotion of refugee law as an element of emergency preparedness, as well as to facilitate prevention of and solutions to refugee problems, and calls upon the High Commissioner to continue to strengthen her Office's training and promotion activities;

16. Strongly deplores ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

17. Underlines the relationship between situations giving rise to refugee flows and lack of respect for human rights, and urges the High Commissioner to continue her efforts to increase cooperation with the Commission on Human Rights, the Centre for Human Rights and relevant organizations;

18. Expresses concern regarding xenophobia and racist attitudes in segments of the population in a number of countries receiving refugees and asylum-seekers, which exposed them to considerable danger, and, therefore calls upon States and the Office of the High Commissioner to continue to work actively to promote broader understanding throughout national communities of the plight of refugees and asylum-seekers;

19. Welcomes progress made by the High Commissioner in her efforts to enhance the capacity of her Office to respond to emergencies and encourages her to continue to work closely with the Under-Secretary-General for Humanitarian Affairs, as well as other United Nations organizations and governmental, intergovernmental or non-governmental bodies, to assure a coordinated and effective response to complex, humanitarian emergency situations;

20. Expresses deep concern at conditions, in a number of countries or regions, which seriously endanger the delivery of humanitarian assistance, the security of the staff of the High Commissioner and other relief workers, deplores the recent loss of lives among the staff involved in humanitarian operations, and calls on States to take all necessary measures to ensure the safe and timely access for humanitarian assistance and the security of international and local staff undertaking humanitarian work in their countries;

21. Expresses deep appreciation for the generous humanitarian response of receiving countries, in particular those developing countries that, despite limited resources, continue to admit large numbers of refugees;

22. Urges the international community, including non-governmental organizations, in accordance with the principle of international solidarity and in the spirit of burden-sharing, to continue to assist the countries referred to above and the High Commissioner in order to enable them to cope with the additional burden that the care of refugees and asylum-seekers represents;

23. Calls upon all Governments and other donors to contribute to the High Commissioner's programmes and, taking into account the need to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are met.